

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

MICHAEL PAUL MCKEEHAN,

Plaintiff,

v.

MARTY ALLEN, *et al.*,

Defendants.

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Case No. 1:09-CV-117 (WLS)

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Richard L. Hodge filed July 28, 2009. (Doc. 8). It is recommended that Defendant Warden Terry Duffy named in Plaintiff's Complaint (Doc. 1) be **DISMISSED** as a party to the instant action. (Doc. 8). No objection has been filed to date.

Upon full review and consideration of the record, the Court finds that said Report and Recommendation (Doc. 8) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Defendant Warden Terry Duffy is hereby **DISMISSED** as a party to the instant action.

SO ORDERED, this 30th day of April, 2010.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**